



# The Association of Container Reconditioners

*"Responsible Container Management"*

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RSPA-1998-12610-1

May 20, 1998

Mr. Alan I. Roberts  
Associate Administrator for  
Hazardous Materials Safety  
Research & Special Programs Administration  
Department of Transportation  
Washington, DC 20590-0001

Dear Mr. Roberts:

In accordance with Section 106.31 of RSPA's procedural regulations, the Association of Container Reconditioners (ACR) hereby petitions for rule making to implement the UN changes pertaining to the reuse, reconditioning and remanufacturing of plastic drums and jerricans.

ACR, as part of the governing body of the International Confederation of Drum Reconditioners (ICDR), was among the proponents of these changes in the UN. Currently, several provisions of this nature appear within 49 CFR 173.28. We believe this is an inappropriate location for definitions and urge placement of them in Section 171.8, consistent with the reformatting of the UN Model Regulations.

Specifically, ACR petitions for adoption of the following new provisions into Section 171.8:

*"Reconditioned packagings means:*

(1) Metal drums that:

(i) are cleaned to original materials of construction, with all former contents, internal and external corrosion, and external coatings and labels removed;

- (ii) are restored to original shape and contour, with chimes (if any) straightened and sealed, and all non-integral gaskets replaced; and
- (iii) are inspected after cleaning but before painting, with rejection of packagings with visible pitting, significant reduction in material thickness, metal fatigue, damaged threads or closures, or other significant defects; or

(2) Plastic drums and jerricans that:

- (i) are cleaned to original materials of construction, with all former contents, external coatings and labels removed;
- (ii) have all non-integral gaskets replaced; and
- (iii) are inspected after cleaning with rejection of packagings with visible damage such as tears, creases or cracks, or damaged threads or closures, or other significant defects.”

“*Remanufactured packagings* means:

(1) Metal drums that:

- (i) are produced as a UN type from a non-UN type;
- (ii) are converted from one UN type to another UN type; or
- (iii) undergo the replacement of integral structural components (such as non-removable heads); and

(2) Plastic drums that:

- (i) are converted from one UN type to another UN type (e.g., 1H1 to 1H2); or
- (ii) undergo the replacement of integral structural components.

Remanufactured drums are subject to the same requirements of this chapter that apply to a new drum of the same type.”

“*Reused packagings* means packagings to be refilled which have been examined and found free of defects affecting the ability to withstand the performance tests; the term includes those which are refilled with the same or similar compatible contents and are transported within distribution chains controlled by the original offeror of the product.”

Adoption of these suggested revisions would make existing Section 173.28(c)(1) and (d) redundant and they could be deleted.

Please let me know if you have any questions on this ACR petition for rule making.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Rankin". The signature is fluid and cursive, with the first name "Paul" and last name "Rankin" clearly distinguishable.

Paul W. Rankin  
President

cc: Bill Shocklee  
Darryl Bartolotti  
Larry Bierlein